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RESPONSE TO ADVISORY ACTION

09/888 741

March 14, 2004

Commissioner for Patents

P.O Box 1450

Alexandria VA 22313-1450

Petition to patent examiner Ruth A. Davis

Pertaining to Advisory Action, date mailed 03/05/2004, regarding patent application serial number 09/888,741, filed by Gene E. Lightner 06/25/2001, response to Advisory Action is enclosed within.

*DO
NOT
ENTER*
Regarding 37 CFR 1.113, option one in which a timely amendment to place the application for allowance is presented within the subsequent pages. Therefore, it is requested that upon examination, by the examiner, the proposed amendments be entered and will place the application in a condition for allowance.

*RAD
1/10/04*
Attached to the office communication mailed 03/05/2004 is a stapled summary of a pilot project relating to mailing foreign and U.S. patents. Relationship of this pilot project to the current case is unnecessary and unsolicited.

Acknowledgment that the period for response expires six months from the date of final rejection is noted.

Prior art, supplied by the examiner, relates procedures substantially different than amended independent claim 1 of the present application. It will be established that the prior art is inappropriate to claim 1, within the present amendment, such as employing a membrane to divide a filtrate containing water soluble carbohydrates and provide enzymes for recycle. Furthermore, analogy of prior art to said application was investigated and found unimportant or pertinent within a search of prior art. The examiner's perception of the intent of the prior art is inappropriate to amended claim 1 within the current case.. The term permeate (filtrate) refers to material that passes through a membrane, and the term retentate is applied to material that is retained by a membrane.

Amended dependent claims are obtained from the original application. Dependent claims, within the present application, depend on claim 1, and is amended for clarity by suggestions of the examiner. Claim 1, within the present invention, is amended to clarify the intention of this claim, without altering the scope or intention of the application.